

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

CRYSTAL L. COX, 1-5 John and  
Jane Doe Plaintiffs,

Plaintiffs,

vs.

SCOTT A. CURRY, et al.,

Defendants.

Cause No. CV 13-00028-H--DWM-RKS  
(13-00089-M--DWM-JCL)

**TRANSFER ORDER**

Plaintiff Crystal Cox has submitted a proposed Complaint CD 2 alleging breach of contract, “RICO” violations, intentional misrepresentation, conspiracy, fraud, property damage, personal injury, product liability, violation of civil rights, negligence, implied covenant of good faith and fair dealing, breach of duty, breach of care, and violations of the Fair Debt Collection Practices Act, Consumer Protection Act, Truth in Lending Act, Real Estate Settlement Procedures Act, the FDIC, the Montana Credit Union Act, and the Toxic Mold Safety and Protection Act of 2002. CD 2, pp. 6-7.

Local Rule 3.2(b) provides that venue is proper in any Division of the Court containing a county of proper venue under the laws of the State of Montana. Ms.

Cox's claims all involve a piece of property located in Eureka, Montana. Montana law provides that the proper place of trial for actions upon contracts is either the county in which any defendant resides or the county in which the contract was to be performed. Mont. Code Ann. § 25-2-121. For torts, the proper venue is the county in which any defendant resides or the county in which the tort was committed. Mont. Code Ann. § 25-2-122. Actions regarding real property is where the property is located. Mont. Code Ann. § 25-2-123. The property at issue and all the Defendants except for two (who are out of state) are located in either Lincoln County or Lake County. Those counties are both in the Missoula Division of the District of Montana.

Accordingly, IT IS HEREBY ORDERED that this case is TRANSFERRED to the Missoula Division. The matter has been given a new case number of CV-13-00089-M-DWM-JCL. All further filing in this matter must be done under this new case number.

DATED this 8th day of May, 2013.

/s/ Keith Strong  
Keith Strong  
United States Magistrate Judge